

EXECUTIVE SUMMARY

AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS ACT

HOUSE FILE 725

NEW PROGRAMS, SERVICES, OR ACTIVITIES

- Appropriates \$200,000 from the Brucellosis Eradication Fund to the Department of Agriculture and Land Stewardship to control foreign agricultural animal diseases introduced into the State of Iowa. (Page 10, Line 18)
- Creates the Branding Administration Fund under the direction of the Department of Agriculture and Land Stewardship. The Fund will receive revenues from the cattle brand recording and renewal fee, the federal government, or private sources. An estimated \$18,000 will be deposited into the Fund each year. Specifies unused funds and interest earned in the Branding Administration Fund not revert to the General Fund. (Page 14, Line 6)

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

- Decreases the appropriation to the Regulatory Division in the Department of Agriculture and Land Stewardship by \$42,000 and 2.0 FTE positions compared to the FY 2001 estimated net appropriation to eliminate two vacant secretarial positions. (Page 1, Line 30)
- Decreases the appropriation to the Pesticide Program in the Laboratory Division by \$313,000 compared to the FY 2001 estimated net appropriation to reduce the funds allocated to Iowa State University for training commercial pesticide applicators. (Page 2, Line 19)
- Decreases the appropriation to the Fertilizer Program in the Laboratory Division by \$150,000 compared to the FY 2001 estimated net appropriation for a reduction in operations. (Page 2, Line 21)
- Increases the appropriation to the Soil Conservation Division by \$235,000 and a decrease of 1.0 FTE position compared to the FY 2001 estimated net appropriation. (Page 2, Line 23)
- Decreases the appropriation to the Soil Conservation Cost Share Program in the Department of Agriculture and Land Stewardship by \$5.5 million compared to the FY 2001 estimated net appropriation. The Program will be funded from the Environment First Fund.
- Decreases the appropriation to the Administrative Services Division in the Department of Natural Resources by \$200,000 compared to the FY 2001 estimated net appropriation for a reduction in operations. (Page 3, Line 27)
- Decreases the appropriation to the Parks and Preserves Division in the Department of Natural Resources by \$500,000 compared to the FY 2001 estimated net appropriation for a reduction in operations. (Page 3, Line 33)
- Decreases the appropriation to the Energy and Geology Division in the Department of Natural Resources by \$300,000 compared to the FY 2001 estimated net appropriation for a reduction in operations. (Page 4, Line 18)

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AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS ACT

HOUSE FILE 725

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- Decreases the appropriation to the Environmental Protection Division by \$600,000 and increases it by 11.0 FTE positions compared to the FY 2001 estimated net appropriation. The changes include:
 - A decrease of \$600,000 for a reduction in operations. (Page 4, Line 24)
 - An increase of 5.0 FTE positions for the Total Maximum Daily Load (TMDL) Program. The funding is from the Environment First Fund. (Page 4, Line 24)
 - An increase of 3.0 FTE positions for the federal Comprehensive Planning Process under the federal Clean Water Act. The funding is from federal funds. (Page 4, Line 24)
 - An increase of 2.0 FTE positions for the Septic Tank Assistance Fund. The funding is from the Environment First Fund. (Page 4, Line 24)
 - An increase of 1.0 FTE position for a Volunteer Coordinator for the Keepers of the Land Volunteer Program. The funding is from the Environment First Fund. (Page 4, Line 24)
- An increase of \$200,000 and 2.0 FTE positions to the Fish and Wildlife Division compared to the FY 2001 estimated net appropriation for the Private Land Access Fund. Funding is from the Fish and Game Protection Fund. (Page 4, Line 30 and Page 5, Line 6)
- Appropriates a total of \$100,000 from the Leopold Center appropriation from the Agricultural Management Account of the Groundwater Protection Fund to the Department of Agriculture and Land Stewardship for the Pesticide Program. This is a new appropriation. (Page 7, Line 26) *The Governor vetoed this item.*
- Appropriates a total of \$250,000 from the Leopold Center appropriation from the Agricultural Management Account of the Groundwater Protection Fund to the Department of Natural Resources for operations. This is a new appropriation. (Page 7, Line 31)
- Appropriates funds from unobligated Stormwater Discharge Permit Fees as of June 30, 2001, to the Department of Natural Resources. This is a new appropriation. Of this amount, \$250,000 will be used by the Energy and Geology Division. (Page 8, Line 29)
- Appropriates funds from unobligated Stormwater Discharge Permit Fees as of June 30, 2001, to the Department of Natural Resources. Of this amount, \$200,000 will be used by the Environmental Protection Division. (Page 8, Line 33)
- Appropriates \$74,000 from the Hazardous Substance Remedial Fund for payment of the workers compensation insurance premium in the Department of Natural Resources. (Page 9, Line 2)

EXECUTIVE SUMMARY

AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS ACT

HOUSE FILE 725

SIGNIFICANT CHANGES TO THE CODE OF IOWA

- Allows the Department of Natural Resources to use Stormwater Discharge Permit Fees to fund 2.0 FTE positions to review and approve Flood Plain Permit Applications. (Page 9, Line 12)
- Allows the Department of Natural Resources to use Stormwater Discharge Permit Fees to fund 2.0 FTE positions for the Total Maximum Daily Load (TMDL) Program. (Page 9, Line 20)
- Amends Sections 169.4 and 169A.13, Code of Iowa, regarding the Branding Administration Fund that will be administered by the Department of Agriculture and Land Stewardship by increasing the five-year fee from \$5 to \$25. The estimated revenue increase is \$17,500 per year. (Page 12, Line 24 through Page 14, Line 14)

EFFECTIVE DATES

- Specifies Section 11 of this Act is effective upon enactment. This Section relates to the use of Stormwater Discharge Permit Fees for operations. (Page 14, Line 30)
- Specifies Section 17 of this Act is effective July 1, 2002. This Section relates to the use of funds from the Brucellosis Eradication Fund to the Department of Agriculture and Land Stewardship to control foreign animal diseases in the State of Iowa. (Page 14, Line 33)

STUDIES AND INTENT LANGUAGE

- Requests the Legislative Council to establish an interim committee to study the quality of the State's surface and subsurface waters, including drinking water sources. (Page 11, Line 35)

GOVERNOR'S VETOES

- The Governor vetoed language that appropriated \$100,000 from the Leopold Center appropriation from the Agricultural Management Account of the Groundwater Protection Fund to the Department of Agriculture and Land Stewardship for the Pesticide Program. The Governor stated keeping the funds in the Leopold Center would target programs to reduce the levels of pesticides. (Page 7, Line 26 and Page 7, Line 35)
- The Governor vetoed language that appropriated \$40,000 from the Forestry Management and Enhancement Fund to the Department of Agriculture and Land Stewardship for the Gypsy Moth Eradication Program. The Governor stated the Department of Natural Resources would work in cooperation with the Department of Agriculture and Land Stewardship to implement this Program. (Page 8, Line 8)

ENACTMENT DATE

- This Act was approved by the General Assembly on April 27, 2001, and signed by the Governor on May 25, 2001.

House File 725 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
6	20	6	Nwthstnd	Sec. 8.33	Nonreversion of Boat Registration Fees
7	16	9	Nwthstnd	Sec. 455E.11(2)(b)(3)(a)	Transfer of Leopold Center Groundwater Funds
8	8	10	Nwthstnd	Sec. 456A.21	Transfer of Forestry Management and Enhancement Fund for Gypsy Moth Program
8	19	11	Nwthstnd	All	Transfer of Stormwater Discharge Permit Fees to the Department of Natural Resources for Operations
9	2	12	Nwthstnd	All	Transfer of Hazardous Substance Remedial Fund to the Department of Natural Resources for Workers Compensation Premium
9	12	13	Nwthstnd	All	Transfer of Stormwater Discharge Permit Fees to Floodplain Permit Backlog
9	20	14	Nwthstnd	All	Transfer of Stormwater Discharge Permit Fees to Maximum Daily Load Program
10	18	17	Nwthstnd	Sec. 165.18	Transfer of Brucellosis Eradication Fees to Foreign Agricultural Animal Disease Prevention
12	24	20	Amends	Sec 169.4	Cattle Brand Recording Fee
13	18	21	Amends	Sec. 169A.13	Cattle Brand Renewal Fee
14	6	22	Adds	Sec. 169A.13A	Branding Administration Fund
14	23	22.5	Nwthstnd	Sec. 8.33 & 12C.7	Nonreversion of Branding Administration Fund
14	27	23	Repeals	Sec. 169A.12	General Fund Brand Recording Fee Deposits

1 1 DIVISION I
 1 2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 1 3 Section 1. GENERAL DEPARTMENT APPROPRIATION. There is
 1 4 appropriated from the general fund of the state to the
 1 5 department of agriculture and land stewardship for the fiscal
 1 6 year beginning July 1, 2001, and ending June 30, 2002, the
 1 7 following amounts, or so much thereof as is necessary, to be
 1 8 used for the purposes designated:

1 9 1. ADMINISTRATIVE DIVISION
 1 10 a. For salaries, support, maintenance, and miscellaneous
 1 11 purposes, and for the salaries and support of not more than
 1 12 the following full-time equivalent positions:
 1 13 \$ 2,327,448
 1 14 FTEs 47.33

General Fund appropriation to the Administrative Division of the Department of Agriculture and Land Stewardship.

DETAIL: This is a decrease of \$40,064 and 0.55 FTE position compared to the FY 2001 estimated net appropriation. The reduction is to the Apiary Bureau of the Administrative Division for a reduction of services.

1 15 (1) Of the amount appropriated in this paragraph "a", at
 1 16 least \$87,000 shall be used to support livestock market news
 1 17 reporting, including the support of 1.00 FTE to provide for
 1 18 six part-time staff positions on a contract basis.

Allocates \$87,000 to support livestock market news reporting. This includes the support of 1.00 FTE position to support six part-time staff positions on a contract basis.

1 19 (2) Of the amount appropriated and full-time equivalent
 1 20 positions authorized in this paragraph "a", at least \$70,000
 1 21 and 1.00 FTE shall be allocated to support the state apiarist
 1 22 in administering the provisions of chapter 160.

Allocates \$70,000 to support the Apiary Bureau. This includes 1.00 FTE position for the State Apiarist.

1 23 b. For deposit in the international relations fund created
 1 24 in section 159.21 to carry out the purposes of that fund:
 1 25 \$ 20,151

General Fund appropriation to the Administrative Division for the International Relations Fund.

DETAIL: Maintains current level of funding.

1 26 c. For the purpose of performing commercial feed audits:
 1 27 \$ 71,871

General Fund appropriation to the Administrative Division for commercial feed audits.

DETAIL: Maintains current level of funding.

1 28 d. For the purpose of performing fertilizer audits:
 1 29 \$ 71,873

General Fund appropriation to the Administrative Division for fertilizer audits.

DETAIL: Maintains current level of funding.

1 30 2. REGULATORY DIVISION
 1 31 a. For salaries, support, maintenance, and miscellaneous
 1 32 purposes, and for not more than the following full-time
 1 33 equivalent positions:
 1 34 \$ 4,446,344
 1 35 FTEs 124.00

General Fund appropriation to the Regulatory Division in the Department of Agriculture and Land Stewardship.

DETAIL: This is a decrease of \$41,906 and 2.00 FTE positions compared to the FY 2001 estimated net appropriation for the elimination of two vacant secretarial positions.

2 1 b. For the costs of inspection, sampling, analysis, and
 2 2 other expenses necessary for the administration of chapters
 2 3 192 and 194:
 2 4 \$ 677,829

General Fund appropriation to the Regulatory Division for the cost of milk inspection, sampling, and analysis.

DETAIL: This is a decrease of \$42,042 compared to the FY 2001 estimated net appropriation for a reduction of milk inspections completed for FY 2002.

2 5 3. LABORATORY DIVISION
 2 6 a. For salaries, support, maintenance, and miscellaneous
 2 7 purposes, and for not more than the following full-time
 2 8 equivalent positions:
 2 9 \$ 891,354
 2 10 FTEs 84.00

General Fund appropriation to the Laboratory Division of the Department of Agriculture and Land Stewardship.

DETAIL: This is a decrease of \$70,000 and no change in FTE positions compared to the FY 2001 estimated net appropriation for a reduction in General Funds allocated for the eradication of the gypsy moth.

2 11 Of the amount appropriated and full-time equivalent
 2 12 positions authorized in this paragraph "a", at least \$80,000
 2 13 and 4.00 FTEs shall be allocated to support a program relating
 2 14 to the detection, surveillance, and eradication of the gypsy
 2 15 moth. The allocation of moneys shall be made before other

Allocates a minimum of \$80,000 and 4.00 FTE positions for the detection, surveillance, and eradication of the gypsy moth.

2 16 moneys appropriated in this paragraph "a" are allocated.

2 17 b. For the operations of the commercial feed programs:

2 18 \$ 811,240

General Fund appropriation to the Laboratory Division for operation of the Commercial Feed Programs.

DETAIL: Maintains current level of funding.

2 19 c. For the operations of the pesticide programs:

2 20 \$ 996,627

General Fund appropriation to the Laboratory Division for operation of the Pesticide Programs.

DETAIL: This is a decrease of \$313,247 compared to the FY 2001 estimated net appropriation. This is a reduction of funds allocated to Iowa State University for training commercial pesticide applicators and for a reduction in operations.

2 21 d. For the operations of the fertilizer programs:

2 22 \$ 537,170

General Fund appropriation to the Laboratory Division for operation of the Fertilizer Program.

DETAIL: This is a decrease of \$150,000 compared to the FY 2001 estimated net appropriation for a reduction in the number of fertilizer inspections and reviews completed during FY 2002.

2 23 4. SOIL CONSERVATION DIVISION

2 24 For salaries, support, maintenance, assistance to soil

2 25 conservation districts, and miscellaneous purposes, and for

2 26 not more than the following full-time equivalent positions:

2 27 \$ 6,862,875

2 28 FTEs 194.11

General Fund appropriation to the Soil Conservation Division.

DETAIL: This is an increase of \$235,000 and a decrease of 1.00 FTE position compared to the FY 2001 estimated net appropriation. The changes include:

1. A decrease of \$165,000 for soil survey testing.
2. A decrease of 1.00 FTE position in the Mines and Minerals Bureau for the elimination of a vacant position.
3. A decrease of \$150,000 for expense reimbursement for District Soil Conservation Commissioners.
4. An increase of \$550,000 to the Division for operations.

2 29 a. Of the amount appropriated in this subsection, \$268,376
 2 30 shall be used to reimburse commissioners of soil and water
 2 31 conservation districts for administrative expenses, including,
 2 32 but not limited to, travel expenses and technical training.
 2 33 Moneys used for the payment of meeting dues by counties shall
 2 34 be matched on a dollar-for-dollar basis by the soil
 2 35 conservation division.

Allocates \$268,376 for the reimbursement of soil and water conservation district commissioner administrative expenses. Requires moneys used for payment of meeting dues by counties be matched on a dollar-for-dollar basis by the Soil Conservation Division.

DETAIL: This is a decrease of \$150,000 compared to the FY 2001 estimated net allocation for mileage expense reimbursements to soil and water conservation district commissioners.

3 1 b. Of the amount appropriated in this subsection, \$44,000
 3 2 shall be used to support inspections for noncoal mining
 3 3 operations.

Requires the Department to use \$44,000 for the support of non-coal mining operation inspections.

3 4 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
 3 5 appropriated from the general fund of the state to the
 3 6 department of agriculture and land stewardship for the fiscal
 3 7 year beginning July 1, 2001, and ending June 30, 2002, the
 3 8 following amount, or so much thereof as is necessary, to be
 3 9 used for the purposes designated:

General Fund appropriation to the Farmers' Market Coupon Program.

DETAIL: Maintains current level of funding.

3 10 For salaries, support, maintenance, and miscellaneous
 3 11 purposes, to be used by the department to continue and expand
 3 12 the farmers' market coupon program by providing federal
 3 13 special supplemental food program recipients with coupons
 3 14 redeemable at farmers' markets, and for not more than the
 3 15 following full-time equivalent positions:
 3 16 \$ 304,680
 3 17 FTEs 2.00

3 18 DIVISION II
 3 19 DEPARTMENT OF NATURAL RESOURCES
 3 20 GENERAL APPROPRIATIONS

3 21 Sec. 3. GENERAL DEPARTMENT APPROPRIATIONS. There is
 3 22 appropriated from the general fund of the state to the
 3 23 department of natural resources for the fiscal year beginning
 3 24 July 1, 2001, and ending June 30, 2002, the following amounts,
 3 25 or so much thereof as is necessary, to be used for the

3 26 purposes designated:

3 27 1. ADMINISTRATIVE AND SUPPORT SERVICES
 3 28 For salaries, support, maintenance, and miscellaneous
 3 29 purposes, and for not more than the following full-time
 3 30 equivalent positions:
 3 31 \$ 2,052,531
 3 32 FTEs 118.25

General Fund appropriation to the Administrative Services Division of the Department of Natural Resources.

DETAIL: This is a decrease of \$200,000 and no change in FTE positions compared to the FY 2001 estimated net appropriation. The Division will reduce expenditures for travel, supplies, and other related items.

3 33 2. PARKS AND PRESERVES DIVISION
 3 34 For salaries, support, and maintenance of personnel and
 3 35 programs relating to water access development, all state parks
 4 1 as they existed on April 1, 2001, recreation areas, and state
 4 2 preserves, and for related miscellaneous purposes, and for not
 4 3 more than the following full-time equivalent positions:
 4 4 \$ 5,983,100
 4 5 FTEs 195.73

General Fund appropriation to the Parks and Preserves Division of the Department of Natural Resources.

DETAIL: This is a decrease of \$500,000 and no change in FTE positions compared to the FY 2001 estimated net appropriation for a reduction in operations. The Division will reduce the number of maintenance employees hired for the summer and close down portions of State parks.

4 6 The department shall use moneys collected by the department
 4 7 resulting from that portion of fees designated for the use of
 4 8 state parks and recreation areas and associated facilities or
 4 9 services that were increased by the natural resource
 4 10 commission in 2000 exclusively for the purpose of keeping open
 4 11 all state parks as they existed on April 1, 2001.

Specifies that all State Parks that are open on April 1, 2001, remain open, and that the Department of Natural Resources use the funds from camping fee increases for operations.

DETAIL: The camping fees were increased by the Natural Resources Commission on November 9, 2000. It is estimated the fee increase will generate \$450,000 in additional revenue per year.

4 12 3. FORESTS AND PRAIRIES DIVISION
 4 13 For salaries, support, maintenance, miscellaneous purposes,
 4 14 and for not more than the following full-time equivalent
 4 15 positions:
 4 16 \$ 1,765,460
 4 17 FTEs 53.71

General Fund appropriation to the Forests and Prairies Division of the Department of Natural Resources.

DETAIL: This is a decrease of \$50,000 and no change in FTE positions compared to the FY 2001 estimated net appropriation for a reduction in operations. The Division will reduce the number of seasonal workers hired for FY 2002.

4 18 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION
 4 19 For salaries, support, maintenance, and miscellaneous
 4 20 purposes, and for not more than the following full-time
 4 21 equivalent positions:
 4 22 \$ 1,704,683
 4 23 FTEs 59.00

General Fund appropriation to the Energy and Geological Services Division of the Department of Natural Resources.

DETAIL: This is a decrease of \$300,000 and no change in FTE positions compared to the FY 2001 estimated net appropriation for a reduction in operations. The Division will reduce expenditures such as contract personnel, travel, and other related items.

4 24 5. ENVIRONMENTAL PROTECTION DIVISION
 4 25 For salaries, support, maintenance, miscellaneous purposes,
 4 26 and for not more than the following full-time equivalent
 4 27 positions:
 4 28 \$ 4,612,753
 4 29 FTEs 226.50

General Fund appropriation to the Environmental Protection Division of the Department of Natural Resources.

DETAIL: This is a decrease of \$600,000 and an increase of 11.00 FTE positions compared to the FY 2001 estimated net appropriation. The changes include:

1. A decrease of \$600,000 for a reduction in operations. The Division will reduce the number of inspections of animal feeding operations.
2. An increase of 5.00 FTE positions for the Total Maximum Daily Load (TMDL) Program. The funding is from the Environment First Fund.
3. An increase of 3.00 FTE positions for the federal Comprehensive Planning Process under the federal Clean Water Act. The funding is from federal funds.
4. An increase of 2.00 FTE positions for the Septic Tank Assistance Fund. The funding is from the Environment First Fund.
5. An increase of 1.00 FTE position for a Volunteer Coordinator for the Keepers of the Land Volunteer Program. The funding is from the Environment First Fund.

4 30 6. FISH AND WILDLIFE DIVISION
 4 31 For not more than the following full-time equivalent
 4 32 positions:
 4 33 FTEs 356.18

Specifies the limit for FTE positions for the Fish and Wildlife Division of the Department of Natural Resources.

DETAIL: This is an increase of 2.00 FTE positions compared to the number of positions authorized in FY 2001 for the Private Land Access Program. This is a new program. This Division is funded from federal funds, boat and snowmobile registration fees, receipts from the sale of hunting and fishing licenses, and other receipts.

4 34 Of the number of full-time equivalent positions authorized
 4 35 in this subsection, at least 3.00 FTEs shall be dedicated to
 5 1 supporting prairie seed harvest initiatives.

Requires a minimum of 3.00 FTE positions to be used for the support of prairie seed harvest initiatives.

5 2 7. WASTE MANAGEMENT ASSISTANCE DIVISION
 5 3 For not more than the following full-time equivalent
 5 4 positions:
 5 5 FTEs 53.75

Specifies the FTE position limit for the Waste Management Assistance Division of the Department of Natural Resources.

DETAIL: Maintains current level of FTE positions.

5 6 Sec. 4. STATE FISH AND GAME PROTECTION FUND —
 5 7 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.
 5 8 1. a. There is appropriated from the state fish and game
 5 9 protection fund to the division of fish and wildlife of the
 5 10 department of natural resources for the fiscal year beginning
 5 11 July 1, 2001, and ending June 30, 2002, the following amount,
 5 12 or so much thereof as is necessary, to be used for the
 5 13 purposes designated:
 5 14 For administrative support, and for salaries, support,
 5 15 maintenance, equipment, and miscellaneous purposes:
 5 16 \$ 26,383,240

State Fish and Game Protection Fund appropriation to the Fish and Wildlife Division of the Department of Natural Resources for operations.

DETAIL: Increases the appropriation to the Fish and Game Protection Fund by \$200,000 for the Private Land Access Program. This is a new program.

5 17 b. The department may use moneys appropriated in paragraph
 5 18 "a", as is necessary to provide compensation to conservation
 5 19 peace officers employed in a protection occupation who retire,
 5 20 pursuant to section 97B.49B.

Allows the Department to use funds for providing compensation to retiring conservation officers.

DETAIL: The appropriation for FY 2000 allowed \$250,000 to be used for retirement. Of this allocation, \$200,276 was used for retirements and \$49,724 reverted to the Fish and Game Protection Fund.

5 21 2. The department shall not expend more moneys from the
 5 22 fish and game protection fund than provided in this section,
 5 23 unless the expenditure derives from contributions made by a
 5 24 private entity, or a grant or moneys received from the federal
 5 25 government, and is approved by the natural resource
 5 26 commission. The department of natural resources shall
 5 27 promptly notify the legislative fiscal bureau and the
 5 28 chairpersons and ranking members of the joint appropriations

Prohibits the Department of Natural Resources from exceeding the appropriation from the Fish and Game Fund unless additional revenues are received from a public or private entity. Requires approval of the Natural Resource Commission and notification to the Legislative Fiscal Bureau and the Chairpersons and Ranking Members of the Agriculture and Natural Resources Appropriations Subcommittee.

5 29 subcommittee on agriculture and natural resources concerning
5 30 the commission's approval.

5 31 DIVISION III
5 32 RELATED TRANSFERS AND APPROPRIATIONS
5 33 DEPARTMENT OF NATURAL RESOURCES

5 34 Sec. 5. SNOWMOBILE FEES — TRANSFER FOR ENFORCEMENT
5 35 PURPOSES. There is transferred on July 1, 2001, from the fees
6 1 deposited under section 321G.7 to the fish and game protection
6 2 fund and appropriated to the department of natural resources
6 3 for the fiscal year beginning July 1, 2001, and ending June
6 4 30, 2002, the following amount, or so much thereof as is
6 5 necessary, to be used for the purpose designated:
6 6 For enforcing snowmobile laws as part of the state
6 7 snowmobile program administered by the department of natural
6 8 resources:
6 9 \$ 100,000

Snowmobile Fund transfer to the Fish and Game Protection Fund for
administration and enforcement of navigation laws and water safety.

DETAIL: Maintains current level of funding.

6 10 Sec. 6. VESSEL FEES — TRANSFER FOR ENFORCEMENT
PURPOSES.
6 11 There is transferred on July 1, 2001, from the fees deposited
6 12 under section 462A.52 to the fish and game protection fund and
6 13 appropriated to the natural resource commission for the fiscal
6 14 year beginning July 1, 2001, and ending June 30, 2002, the
6 15 following amount, or so much thereof as is necessary, to be
6 16 used for the purpose designated:
6 17 For the administration and enforcement of navigation laws
6 18 and water safety:
6 19 \$ 1,400,000

Boat Registration Fund transfer to the Fish and Game Protection Fund
for administration and enforcement of navigation laws and water
safety.

DETAIL: Maintains current level of funding.

6 20 Notwithstanding section 8.33, moneys transferred and
6 21 appropriated in this section that remain unencumbered or
6 22 unobligated at the close of the fiscal year shall not revert
6 23 to the credit of the fish and game protection fund but shall
6 24 be credited to the special conservation fund established by
6 25 section 462A.52 to be used as provided in that section.

CODE: Requires funds transferred or appropriated under this Section
to not revert but be credited to the Special Conservation Fund for
water safety purposes.

6 26 DIVISION IV
 6 27 SPECIAL APPROPRIATIONS
 6 28 DEPARTMENT OF NATURAL RESOURCES

6 29 Sec. 7. MARINE FUEL TAX RECEIPTS — BOATING FACILITIES.

6 30 There is appropriated from the marine fuel tax receipts
 6 31 deposited in the general fund of the state to the department
 6 32 of natural resources for the fiscal year beginning July 1,
 6 33 2001, and ending June 30, 2002, the following amount, or so
 6 34 much thereof as is necessary, to be used for the purposes
 6 35 designated:

7 1 For purposes of maintaining and developing boating
 7 2 facilities and access to public waters by the parks and
 7 3 preserves division:

7 4 \$ 411,311

7 5 Sec. 8. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE
 7 6 UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated

7 7 from the unassigned revenue fund administered by the Iowa
 7 8 comprehensive underground storage tank fund board, to the
 7 9 department of natural resources for the fiscal year beginning
 7 10 July 1, 2001, and ending June 30, 2002, the following amount,
 7 11 or so much thereof as is necessary, to be used for the purpose
 7 12 designated:

7 13 For administration expenses of the underground storage tank
 7 14 section of the department of natural resources:

7 15 \$ 75,000

7 16 Sec. 9. GROUNDWATER PROTECTION FUND.

7 17 1. Notwithstanding section 455E.11, subsection 2,
 7 18 paragraph "b", subparagraph (3), subparagraph subdivision (a),
 7 19 of the remaining moneys appropriated from the agricultural
 7 20 management account of the groundwater protection fund that
 7 21 would otherwise be used to support the Leopold center for
 7 22 sustainable agriculture at Iowa state university of science
 7 23 and technology, there is appropriated for the fiscal year
 7 24 beginning July 1, 2001, and ending June 30, 2002, the

General Fund appropriation of Marine Fuel Tax receipts to the Parks Division for maintenance of boating facilities and accesses to public water.

DETAIL: Maintains current level of funding. This appropriation is from receipts that were formerly deposited in the Marine Fuel Tax Fund.

Unassigned Revenue Fund (Underground Storage Tank Program) appropriation to the Department of Natural Resources.

DETAIL: Maintains current level of funding. The funds are used to match federal funds to finance the Department's underground storage tank activities. The federal funds require match ranges from 10.00% to 25.00%.

CODE: Appropriates funds remaining from the Leopold Center appropriation of the Agricultural Management Account of the Groundwater Protection Fund to the Department of Agriculture and Land Stewardship and the Department of Natural Resources (See Sections 9.a and 9.b of this Act).

DETAIL: Reduces the allocation to the Leopold Center from the Groundwater Protection Fund by \$350,000 compared to the FY 2001 estimated net appropriation.

7 25 following amounts to be used for the purposes designated:

7 26 [a. To the department of agriculture and land stewardship
 7 27 for salaries, support, maintenance, and miscellaneous purposes
 7 28 of the department's laboratory division in administering the
 7 29 operations of pesticide programs:
 7 30 \$ 100,000]

VETOED

Groundwater Protection Fund appropriation to the Department of Agriculture and Land Stewardship for the Pesticide Program in the Laboratory Division.

DETAIL: This is a new appropriation. Operations in the Pesticide Program in the Laboratory Division received a General Fund reduction of \$313,247 in this Act (see Page 2, Line 19). This appropriation restores \$100,000 in funding for operations.

VETOED: The Governor vetoed this language, stating the redirection of the \$100,000 to the Department of Agriculture and Land Stewardship will pay for the operations of the Pesticide Program while the Leopold Center will use the funds for programs to reduce the use of pesticides.

7 31 b. To the department of natural resources for salaries,
 7 32 support, maintenance, and miscellaneous purposes of the
 7 33 department's environmental protection division:
 7 34 \$ 250,000

Groundwater Protection Fund appropriation to the Department of Natural Resources for the Environmental Protection Division.

DETAIL: This is a new appropriation. Operations in the Environmental Protection Division received a General Fund reduction of \$600,000 in this Act. This appropriation restores \$250,000 in funding for operations.

7 35 2. The moneys appropriated in subsection 1[, paragraphs "a"
 8 1 and "b"] shall first be appropriated [to the department of
 8 2 agriculture and land stewardship and then] to the department of
 8 3 natural resources prior to moneys appropriated to support the
 8 4 Leopold center for sustainable agriculture at Iowa state
 8 5 university of science and technology as otherwise provided in
 8 6 section 455E.11, subsection 2, paragraph "b", subparagraph
 8 7 (3), subparagraph subdivision (a).

VETOED

Specifies the moneys are to be appropriated to the Department of Agriculture and Land Stewardship and the Department of Natural Resources prior to the allocation to the Leopold Center at Iowa State University.

VETOED: The Governor vetoed the language pertaining to the \$100,000 appropriation from the Leopold Center to the Department of Agriculture and Land Stewardship.

8 8 [Sec. 10. FORESTRY MANAGEMENT AND ENHANCEMENT FUND.

8 9 Notwithstanding section 456A.21, there is appropriated from
8 10 the forestry management and enhancement fund to the department

8 11 of agriculture and land stewardship for the fiscal year
8 12 beginning July 1, 2001, and ending June 30, 2002, the
8 13 following amount, or so much thereof as is necessary, to be
8 14 used for the purposes designated:

8 15 For purposes of supporting the department's laboratory
8 16 division in administering a program relating to the detection,
8 17 surveillance, and eradication of the gypsy moth:

8 18 \$ 40,000]

VETOED

CODE: Forestry Management and Enhancement Fund appropriation to the Laboratory Division of the Department of Agriculture and Land Stewardship.

DETAIL: This is a new appropriation. The funds are to be used for the detection, surveillance, and eradication of the gypsy moth.

VETOED: The Governor vetoed this language, stating the Department of Natural Resources will work in cooperation with the Department of Agriculture and Land Stewardship to implement the Gypsy Moth Eradication Program.

8 19 Sec. 11. STORMWATER DISCHARGE PERMIT FEES.

8 20 Notwithstanding any provision of state law, there is
8 21 appropriated from moneys collected in fees required to be paid
8 22 to the department of natural resources for issuing stormwater
8 23 discharge permits pursuant to section 455B.103 that are
8 24 unobligated and unencumbered on June 30, 2001, to the
8 25 department for the fiscal year beginning July 1, 2001, and
8 26 ending June 30, 2002, the following amounts, or so much
8 27 thereof as are necessary, to be used for the purposes
8 28 designated:

8 29 1. For salaries, support, maintenance, and miscellaneous
8 30 purposes of the department's energy and geological resources
8 31 division:

8 32 \$ 250,000

CODE: Appropriates \$450,000 from the unobligated balance of the Stormwater Discharge Permit Fees Account as of June 30, 2001, to the Department of Natural Resources for operations in the Energy and Geology Division and the Environmental Protection Division.

DETAIL: Operations in the Energy and Geology Division and the Environmental Protection Division had General Fund reductions in this Act. This appropriation replaces \$450,000 that had been funded from the General Fund to the two Divisions in FY 2001.

Stormwater Discharge Permit Fees Account appropriation of \$250,000 to the Energy and Geology Division in the Department of Natural Resources.

DETAIL: This is a new appropriation. Operations in the Environmental Protection Division had a General Fund reduction of \$300,000 in this Act. This appropriation replaces \$250,000 that had been funded from the General Fund in FY 2001.

8 33 2. For salaries, support, maintenance, and miscellaneous
8 34 purposes of the department's environmental protection
8 35 division:

Stormwater Discharge Permit Fees Account appropriation of \$200,000 to the Environmental Protection Division in the Department of Natural Resources.

9 1 \$ 200,000

DETAIL: This is a new appropriation. Operations in the Environmental Protection Division had a General Fund reduction of \$600,000 in this Act. This appropriation replaces \$200,000 that had been funded from the General Fund in FY 2001.

9 2 Sec. 12. HAZARDOUS SUBSTANCE REMEDIAL FUND.
 9 3 Notwithstanding any provision of state law, there is
 9 4 appropriated from the hazardous substance remedial fund as
 9 5 created in section 455B.423 to the department of natural
 9 6 resources for the fiscal year beginning July 1, 2001, and
 9 7 ending June 30, 2002, the following amount, or so much thereof
 9 8 as is necessary, to be used for the purpose designated:
 9 9 For payment of the department's workers' compensation
 9 10 insurance premium:
 9 11 \$ 73,606

CODE: Hazardous Substance Remedial Fund appropriation of \$73,606 to the Department of Natural Resources for payment of the workers compensation insurance premium.

DETAIL: This is a new appropriation. Operations in the Department of Natural Resources received a General Fund reduction of \$73,606 for this item. This appropriation replaces \$73,606 that had been funded from the General Fund for the payment of the workers compensation insurance premium in FY 2001.

9 12 Sec. 13. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any
 9 13 provision of state law, for the fiscal year beginning July 1,
 9 14 2001, and ending June 30, 2002, the department of natural
 9 15 resources may use additional funds available to the department
 9 16 from stormwater discharge permit fees for the staffing of the
 9 17 following additional full-time staff members to reduce the
 9 18 department's floodplain permit backlog:
 9 19 FTEs 2.00

CODE: Allows the Department of Natural Resources to use funds from Stormwater Permit Fees and 2.00 FTE positions to reduce the backlog of floodplain permits.

9 20 Sec. 14. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY
 9 21 LOAD PROGRAM. Notwithstanding any contrary provision of state
 9 22 law, for the fiscal year beginning July 1, 2001, and ending
 9 23 June 30, 2002, the department of natural resources may use
 9 24 additional funds available to the department from stormwater
 9 25 discharge permit fees for the staffing of the following
 9 26 additional full-time equivalent positions for implementation
 9 27 of the federal total maximum daily load program:
 9 28 FTEs 2.00

CODE: Allows the Department of Natural Resources to use funds from Stormwater Permit Fees and 2.00 FTE positions for the federal Total Maximum Daily Load (TMDL) Program.

9 29 SPECIAL APPROPRIATIONS
9 30 ANIMAL HEALTH AND INDUSTRY

9 31 Sec. 15. HORSE AND DOG RACING. There is appropriated from
9 32 the moneys available under section 99D.13 to the regulatory
9 33 division of the department of agriculture and land stewardship
9 34 for the fiscal year beginning July 1, 2001, and ending June
9 35 30, 2002, the following amount, or so much thereof as is
10 1 necessary, to be used for the purposes designated:
10 2 For salaries, support, maintenance, and miscellaneous
10 3 purposes for the administration of section 99D.22:
10 4 \$ 271,307

Appropriation to the Horse and Dog Breeder's Program from the unclaimed pari-mutuel receipts winnings.

DETAIL: Maintains current level of funding.

10 5 Sec. 16. PSEUDORABIES ERADICATION PROGRAM.
10 6 1. There is appropriated from the general fund of the
10 7 state to the department of agriculture and land stewardship
10 8 for the fiscal year beginning July 1, 2001, and ending June
10 9 30, 2002, the following amount, or so much thereof as is
10 10 necessary, to be used for the purpose designated:
10 11 For support of the pseudorabies eradication program:
10 12 \$ 900,700

General Fund appropriation for the Pseudorabies Eradication Program in the Department of Agriculture and Land Stewardship.

DETAIL: Maintains current level of funding.

10 13 2. Persons, including organizations interested in swine
10 14 production in this state and in the promotion of Iowa pork
10 15 products who contribute support to the program, are encouraged
10 16 to increase financial support for purposes of ensuring the
10 17 program's effective continuation.

Encourages pork producers and other persons and entities interested in swine production to increase financial contributions to cooperative efforts to eliminate pseudorabies in the State.

10 18 Sec. 17. SECURITY MEASURES TO CONTROL FOREIGN
AGRICULTURAL
10 19 ANIMAL DISEASES. There is appropriated from the brucellosis
10 20 and tuberculosis eradication fund created in section 165.18 to
10 21 the department of agriculture and land stewardship for the
10 22 fiscal period beginning July 1, 2000, and ending June 30,
10 23 2002, the following amount, or so much thereof as is
10 24 necessary, to be used for the purposes designated:

CODE: Brucellosis Eradication Fund appropriation of \$200,000 to the Department of Agriculture and Land Stewardship to control foreign agricultural animal diseases in the State of Iowa. The Department will implement security measures to control outbreaks of foreign animal diseases such as mad cow or hoof and mouth.

DETAIL: This is a new appropriation.

10 25 For the implementation of security measures necessary in
10 26 order to control outbreaks of foreign agricultural animal
10 27 diseases introduced into this state, such as mad cow disease,
10 28 foot and mouth disease, and classical swine fever (hog
10 29 cholera), including for salaries, support, maintenance, and
10 30 miscellaneous purposes:
10 31 \$ 200,000

10 32 1. The department shall expend moneys appropriated in this
10 33 section as deemed necessary by the department to support
10 34 prevention, including by education and training; surveillance
10 35 and detection, including by monitoring and testing; and
11 1 emergency response if necessary, including by the issuance of
11 2 orders restricting the movement of agricultural animals. The
11 3 department shall do all of the following:
11 4 a. Provide for emergency planning.
11 5 b. Provide training to interested persons, including
11 6 agricultural producers, veterinarians, and agricultural
11 7 associations.
11 8 c. Publish and disseminate educational materials to the
11 9 public and interested persons.

11 10 2. The department shall cooperate with other agencies of
11 11 the state, including the emergency management division of the
11 12 department of public defense, the department of natural
11 13 resources, and the department of public safety. The
11 14 department shall also cooperate with the United States
11 15 department of agriculture, and interested associations,
11 16 including associations representing agricultural producers.
11 17 3. The department shall apply for moneys appropriated by
11 18 the federal government in order to support the purposes of
11 19 this section.
11 20 4. The Iowa cattlemen's association, the Iowa pork
11 21 producers association, the Iowa sheep association, the Iowa
11 22 poultry association, the Iowa turkey federation, the Iowa
11 23 dairy products association, the Iowa corn growers association,
11 24 the Iowa soybean association, the Iowa farm bureau federation,

Requires the Department of Agriculture and Land Stewardship to use funds to prevent the introduction of foreign agriculture animal diseases. This includes educational programs, surveillance, detection, monitoring, testing, and emergency response if necessary.

Requires the Department of Agriculture and Land Stewardship to cooperate with other State agencies and apply for federal money to support disease prevention. Specifies that other agricultural groups should provide financial or other types of contributions to assist the Department with prevention of foreign animal disease.

11 25 the agribusiness association of Iowa, and associations
11 26 representing financial institutions in this state shall to
11 27 every extent possible provide financial or in-kind
11 28 contributions in order to assist the department in carrying
11 29 out this section.

11 30 5. The department shall not authorize the assessment of a
11 31 levy as otherwise provided in section 165.18 because of moneys
11 32 appropriated in this section.

Requires that a Brucellosis Eradication Fund levy cannot be assessed if the appropriation transfer decreases the fund balance to a level not sufficient to pay for the expenditures of the Brucellosis Eradication Program.

DETAIL: The Brucellosis Eradication Fund will have an estimated balance of \$1,398,191 at the end of FY 2001. The \$200,000 reduction will not require a levy assessment.

11 33 DIVISION V
11 34 MISCELLANEOUS

11 35 Sec. 18. INTERIM COMMITTEE — WATER QUALITY STUDY. The
12 1 legislative council is requested to create a water quality
12 2 interim study committee to study the quality of this state's
12 3 surface and subsurface waters, including drinking water
12 4 sources. The interim committee shall consider all major
12 5 sources of contamination, current effluent and treatment
12 6 standards, and practices or systems designed to prevent or
12 7 reduce contamination. The department of agriculture and land
12 8 stewardship and the department of natural resources shall
12 9 cooperate with the interim study committee. If created, the
12 10 interim study committee, as directed by the legislative
12 11 council, shall report to the general assembly regarding any
12 12 recommendations required to improve water quality in this
12 13 state, including legislative measures to reduce contamination
12 14 that may pose a risk to human health.

Requests the Legislative Council establish an interim study committee to review the quality of the State's surface and subsurface waters, including drinking water sources. Requires the study committee to submit a report to the General Assembly recommending improvements for water quality in the State.

12 15 Sec. 19. ISSUANCE OF PERMITS BY THE DEPARTMENT OF NATURAL
12 16 RESOURCES. For the fiscal year beginning July 1, 2001, and
12 17 ending June 30, 2002, the department of natural resources
12 18 shall approve, deny, or delay consideration of a permit
12 19 application required to be submitted to the department based
12 20 only on requirements relating to the merit of the application
12 21 or applicant, procedural requirements of the department
12 22 unrelated to staff availability, and state law including but
12 23 not limited to section 455B.104.

Requires the Department of Natural Resources to continue to review, issue, or deny permits in a timely manner.

12 24 Sec. 20. Section 169.4, Code 2001, is amended to read as
12 25 follows:

CODE: Requires cattle owners that record their brand with the Department of Agriculture and Land Stewardship to pay a renewal fee every five years. The renewal fee is \$25 for a five-year period.

12 26 169A.4 RECORDING — FEE.

12 27 A person desiring to adopt a brand shall forward to the
12 28 secretary a brand application on forms approved by the
12 29 secretary and providing for the desired brand, together with a
12 30 recording fee in an amount established by rule of the
12 31 secretary pursuant to chapter 17A of twenty-five dollars. The
12 32 fee amount shall be based upon the administrative costs of
12 33 maintaining the brand program provided for by this chapter.

DETAIL: This increases the renewal fee from \$5 to \$25 for a five-year period.

12 34 Upon receipt, the secretary shall file the application and
12 35 fee, unless the brand is of record of another person or
13 1 conflicts with or closely resembles the brand of another
13 2 person. If the secretary determines that such brand is of
13 3 record or conflicts with or closely resembles the brand of
13 4 another person, the secretary shall not record it but shall
13 5 return the facsimile and fee to the forwarding person.
13 6 However, the secretary shall renew a conflicting brand, if the
13 7 brand was originally recorded prior to July 1, 1996, and the
13 8 brand is renewed as provided in section 169A.13. The
13 9 department may notify each owner of a conflicting brand that
13 10 the owner may record a nonconflicting brand. The power of
13 11 examination, approval, acceptance, or rejection shall be
13 12 vested in the secretary. The secretary shall file all brands
13 13 offered for record pending the examination provided for in
13 14 this section. The secretary shall make such examination as

13 15 promptly as possible. If the brand is accepted, the brand's
13 16 ownership shall vest in the person recording it from the date
13 17 of filing.

13 18 Sec. 21. Section 169A.13, Code 2001, is amended to read as
13 19 follows:
13 20 169A.13 RENEWAL OF BRAND AND FEE EACH FIFTH YEAR.
13 21 Each owner of a brand of record beginning on January 1,
13 22 1970, shall pay to the secretary a fee of five dollars and a
13 23 renewal fee on January 1 of which is recorded pursuant to
13 24 section 169A.4 shall renew the brand each fifth year after the
13 25 payment of the five dollar fee, or on January 1 of each fifth
13 26 year following the original originally recording of a the
13 27 brand recorded after June 30, 1975 and pay a renewal fee. The
13 28 amount of the renewal fee required for January 1, 1976, and
13 29 each year thereafter shall be established by rule of the
13 30 secretary pursuant to chapter 17A is twenty-five dollars. The
13 31 amount of the fee shall be based upon the administrative costs
13 32 of maintaining the brand program provided for in this chapter.
13 33 The secretary shall notify every owner of a brand of record at
13 34 least thirty days prior to the date of the renewal period. If
13 35 the owner of a brand of record does not renew the brand and
14 1 pay the renewal fee by July 1 of each year in which it within
14 2 six months after it is due, the owner shall forfeit the brand
14 3 and the brand shall no longer be recorded. A forfeited brand
14 4 shall not be issued to any other person for five years
14 5 following date of forfeiture.

14 6 Sec. 22. NEW SECTION. 169A.13A BRANDING ADMINISTRATION
14 7 FUND.
14 8 1. A branding administration fund is created in the state
14 9 treasury under the control of the department. The fund is
14 10 composed of moneys collected in fees as provided in this
14 11 chapter, moneys appropriated by the general assembly, and
14 12 moneys available to and obtained or accepted by the department
14 13 from the United States or private sources for placement in the
14 14 fund.

CODE: Requires cattle owners that record their brand with the Department of Agriculture and Land Stewardship to pay a renewal fee every five years. The renewal fee is \$25 for a five-year period.

DETAIL: This increases the renewal fee from \$5 to \$25 for a five-year period.

CODE: Creates the Branding Administration Fund under the direction of the Department of Agriculture and Land Stewardship funded by Cattle Brand Renewal Fee revenue, the federal government, or private sources.

DETAIL: It is estimated there are 3,500 cattle owners that register a cattle brand with the Department and that approximately 700 will pay the renewal fee each year over a five-year period. It is estimated approximately \$17,500 will be deposited into the Fund each year.

14 15 2. The fund is subject to warrants written by the director
14 16 of revenue and finance, drawn upon the written requisition of
14 17 the department.

CODE: Specifies the Fund is subject to the warrants written by the Director of Revenue and Finance.

14 18 3. Moneys in the fund are appropriated to the department
14 19 for the exclusive purpose of supporting the administration of
14 20 this chapter by the department.

CODE: Requires that the Fund be used exclusively for registration of cattle brands.

14 21 4. The department may adopt rules pursuant to chapter 17A
14 22 to administer this section.

CODE: Allows the Department of Agriculture and Land Stewardship can adopt rules for administration of the Branding Administration Fund.

14 23 5. Section 8.33 shall not apply to moneys in the fund.
14 24 Notwithstanding section 12C.7, moneys earned as income,
14 25 including as interest, from the fund shall remain in the fund
14 26 until expended as provided in this section.

CODE: Requires unused funds from the Branding Administration Fund not revert to the General Fund. Requires money earned as income, such as interest, remain in the Fund.

DETAIL: Funds are used to administer the Cattle Brand Registration Program.

14 27 Sec. 23. Section 169A.12, Code 2001, is repealed.

CODE: Repeals the Chapter 169A.12, Code of Iowa, regarding the deposit of Cattle Brand Recording Fees into the General Fund.

DETAIL: The Cattle Brand Recording Fee will be deposited into the Branding Administration Fund instead of the General Fund.

14 28 DIVISION VI
14 29 EFFECTIVE DATE PROVISIONS

14 30 Sec. 24. Section 11 of this Act, providing for the
14 31 appropriations of stormwater discharge permit fees, takes
14 32 effect upon enactment.

Provides that Section 11 of this Act, relating to the use of Stormwater Discharge Permit Fees for operations in the Department of Natural Resources, is effective upon enactment.

14 33 Sec. 25. Section 17 of this Act, being deemed of immediate
14 34 importance, takes effect upon enactment.

Provides that Section 17 of this Act, relating to the prevention of foreign agricultural animal diseases in the State of Iowa, is effective upon enactment.